

EXHIBIT 9

UNITED STATES DISTRICT COURT

FOR THE SOUTHERN DISTRICT OF NEW YORK

----- X -----

5 CATHERINE MCKOY, MILLARD WILLIAMS,

6 MARKUS FRAZIER, and LYNN CHADWICK

7 individually and on behalf of all

8 others similarly situated, Index No.

1:18-cv-09936-
LGS

Plaintiffs

v.

12 THE TRUMP CORPORATION, DONALD J. TRUMP,

13 in his personal capacity, DONALD TRUMP

14 JR., ERIC TRUMP, and IVANKA TRUMP,

Defendants.

----- X -----

17

** CONFIDENTIAL ** RHONA GRAFF

19 DEPOSITION OF RHONA GRAFF

20 July 28, 2022

21

22

23 Reported by:

24 MARY F. BOWMAN, RPR, CRR

25 JOB NO. 213092

<p style="text-align: right;">Page 90</p> <p>Graff - Confidential</p> <p>these contracts on Mr. Trump's behalf?</p> <p>A. I think that would be fair to say.</p> <p>Q. What was the typical process in your recollection for these agreements being negotiated? Who prepared the first draft?</p> <p>A. There would usually be -- to the best of my recollection, there would usually be a phone call from Anne Archer saying, We are ready to discuss the new contract, and she would talk, to the best of my recollection, you know, what ACN had in mind, how many speaking engagements, what the extent of them were.</p> <p>I think in the early days they were mostly based in the United States, I think. They wanted to go more international. We got into some of that. We talked a little bit about money, you know, what -- I think what they were prepared to offer, what I thought was reasonable ballpark for Mr. Trump. And any of their other details, were there any</p>	<p>Graff - Confidential</p> <p>other obligations, you know, from Mr. Trump.</p> <p>Q. How involved was Mr. Trump in that process and at what point?</p> <p>A. Well, certainly, when it came to the negotiated fee, he was the final say so on all of that.</p> <p>He was also the final say so in regard to where he would speak and how much time he would commit.</p> <p>I think he was less inclined to do international speaking engagements and appearances because he just didn't like traveling. And I think he did it a few times but he preferred not to. And just how much time would be required of him.</p> <p>So he had a lot of input on those areas.</p> <p>Q. The first thing you mentioned there was the fee.</p> <p>Is it fair to say that was an important term from Mr. Trump's perspective as you understood it?</p> <p>A. A speaking fee?</p>
<p style="text-align: right;">Page 92</p> <p>Graff - Confidential</p> <p>That was a general term he used for all his speaking engagements.</p> <p>Q. Was it something Mr. Trump was particularly focused on?</p> <p>A. You mean, what the amount of the fee was?</p> <p>Q. Yes.</p> <p>A. Yeah. He was a businessman. Any deal that he did, he was always, you know, how does that, you know, benefit me? What are my -- what do I make from it?</p> <p>Q. And, to your knowledge, did the fee that ACN was paying for each of these appearances increase over time throughout the course of the relationship?</p> <p>A. Without, again, looking at the specifics, I believe it did over time.</p> <p>Q. And was that pursuant to guidance that you were getting from Mr. Trump personally?</p> <p>A. It was probably a combination, yes.</p> <p>Q. A combination of Mr. Trump's guidance and what else?</p>	<p style="text-align: right;">Page 93</p> <p>Graff - Confidential</p> <p>A. I mean, some -- there were more speeches as the years went on, so, obviously, he would get more money because there were more speeches and maybe more of a time commitment.</p> <p>Did his rate go up per speech?</p> <p>It may have over time, but I don't know the specifics.</p> <p>Q. If the contract said that, you certainly wouldn't be surprised, is that fair?</p> <p>A. I think that's fair.</p> <p>Q. Do you recall negotiating for control over the content of the speeches or about what ACN could say about Mr. Trump?</p> <p>A. I don't recall negotiating those issues.</p> <p>Q. What about the terms relating to logistics, ACN's payment of airplane tickets, and those sort of things, do you remember negotiation about that?</p> <p>A. I don't know if it was so much a negotiation. I mean, those were the terms. That's maybe a better use of it.</p>

<p style="text-align: right;">Page 94</p> <p>Graff - Confidential</p> <p>But there was a standard -- when the contract was signed, there were -- I think there were dates when they had to pay by, and those are possibly standard in any deal that we did with anybody.</p> <p>Q. I just want to mark one more document just as we are talking about this process of developing the contracts.</p> <p>(Exhibit 13, document, Bates stamped TTO_007514, marked for identification, as of this date.)</p> <p>Q. So we have marked now as Exhibit 13 a document produced by defendants bearing the Bates number TTO_007514.</p> <p>A. Correct.</p> <p>Q. Exhibit 13 is an email from Anne Archer Butcher to you dated March 10, 2015. Do you see that?</p> <p>A. I do.</p> <p>Q. And looking at this email, does this appear to be a communication as a part of the process you described where Ms. Butcher is beginning the process of</p>	<p style="text-align: right;">Page 95</p> <p>Graff - Confidential</p> <p>talking about a new agreement, and you're discussing with her what the terms of that agreement will be?</p> <p>A. Yes, I think that's accurate.</p> <p>Q. And you can see, as with some other documents, there appears to be some handwriting on this document, right?</p> <p>A. Correct.</p> <p>Q. In fact, if you look closely at the bottom right, it appears almost that there -- as you described earlier, that there is a sticky note that has been placed on the bottom right-hand corner, right? You can see it sort of obscures the text of the email?</p> <p>A. Yeah, I do.</p> <p>Q. Is this consistent with the practice you described where there were emails you would print for Mr. Trump and place in his inbox, and he would provide feedback in writing and put it in his outbox?</p> <p>A. I think that's fair, yes.</p> <p>Q. Just to be clear, the handwriting</p>
<p style="text-align: right;">Page 96</p> <p>Graff - Confidential</p> <p>on the sticky note at the bottom right, is that your handwriting?</p> <p>A. I believe that is -- yeah, I'm pretty sure that's mine.</p> <p>Q. There is marker -- you know, a thicker font both on the sticky note and document itself.</p> <p>Is that Mr. Trump's handwriting?</p> <p>A. It is.</p> <p>Q. You can see there are two instances of Mr. Trump's handwriting. The first has an arrow pointing to a paragraph a little less than halfway down the page.</p> <p>Do you see that?</p> <p>A. I do.</p> <p>Q. And they refer to -- it refers to three potential speaking events in 2015, right?</p> <p>A. Correct.</p> <p>Q. And you can see that the handwriting says, "1 million dollars, more money and pay for my plane."</p> <p>Do you see that?</p> <p>A. I do.</p>	<p style="text-align: right;">Page 97</p> <p>Graff - Confidential</p> <p>So is that consistent with the kind of term Mr. Trump was focused on as you were describing the process?</p> <p>A. I think that's fair, yes.</p> <p>Q. And then on the sticky note in the bottom right, you can see your note maybe three or four lines from the bottom, there is some reference to potential -- a little hard to read, but I think it says, (as read): International speech in Seoul, Korea --</p> <p>A. In September.</p> <p>Q. In September, right.</p> <p>And Mr. Trump appears to have underlined "Seoul" and says, "Too far."</p> <p>Do you see that?</p> <p>A. Yes.</p> <p>Q. Is that also consistent with the travel-related term he was focused on, in your experience?</p> <p>A. Correct.</p> <p>Q. Do you recall at any point in the negotiation of any of these agreements anybody at The Trump Organization</p>

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1 Graff - Confidential	1 Graff - Confidential
2 negotiating for greater access to diligence	2 relationship?
3 information about ACN?	3 A. Probably. You know, I can't say,
4 MR. ROBERT: Objection to form.	4 again, with 100 percent assurance, but I
5 You can answer.	5 would say that makes sense.
6 A. Not to my knowledge.	6 Q. Let's start with Ms. Butcher's
7 Q. All right. Let me mark the next	7 email to you. That's the one that starts
8 document.	8 on the second half of the first -- first
9 (Exhibit 14, document, Bates	9 email of the chain.
10 stamped TTO_004386, marked for	10 Ms. Butcher emails you on
11 identification, as of this date.)	11 January 24, 2008, and the first line says,
12 Q. All right. We have marked	12 "Nice speaking with you again, as always."
13 Exhibit -- as Exhibit 14 a document	13 Do you see that?
14 produced by defendants bearing the Bates	14 A. I do.
15 number TTO_004386.	15 Q. Do you recall the conversation
16 Do you recognize this document?	16 that Ms. Butcher is referring to there?
17 A. I don't recall it.	17 A. No, I do not.
18 Q. It appears to be an email	18 Q. Any reason to doubt that you had
19 exchange between Anne Archer Butcher and	19 a conversation with Ms. Butcher around that
20 you in or around January 2008. Does that	20 time?
21 seem right?	21 A. No reason to doubt.
22 A. Um-hm. Yes.	22 Q. And the way she says that, "Nice
23 Q. Do you recall that you were	23 speaking with you again, as always,"
24 having discussions with Ms. Butcher in and	24 suggests by this point you have had a
25 around that time about the ACN	25 number of conversations with Ms. Butcher,
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1 Graff - Confidential	1 Graff - Confidential
2 is that fair to say?	2 a charity selected," do you know what
3 A. I guess it's fair to say. I	3 charity that's referring to?
4 think it is just a nice way of being	4 A. I have an idea, but I don't know
5 polite, which I often say to people as	5 if it is fair for me to guess.
6 well.	6 Q. Understanding that you don't have
7 Q. Sure.	7 a specific or certain recollection, what's
8 It would be unusual to say	8 your best understanding based on your
9 something like that if it is the first	9 experience?
10 conversation she is referencing, right?	10 A. I just know Mr. Trump had a
11 A. If it's the first conversation,	11 particular affinity for Police Athletic
12 yes.	12 League. So in those days, it would make
13 Q. The second paragraph says, "For	13 sense that that would be a charity that he
14 the New York ACN meeting, we will follow	14 elected to be the recipient of this, but I
15 Mr. Trump's recommendation for the charity.	15 can't confirm it.
16 I believe you have a charity selected, and	16 Q. What about the Eric Trump
17 we are happy to do whatever we can to make	17 Foundation, was that, to your knowledge, in
18 it a tremendous success."	18 existence at the time and something that
19 Do you see that?	19 Mr. Trump was aware of?
20 A. I do.	20 A. I was not aware of anything to do
21 Q. Do you recall any discussion with	21 with the Eric Trump Foundation.
22 ACN about Mr. Trump making a recommendation	22 Q. Do you have any understanding
23 to ACN about a charity?	23 based on your experience and interactions
24 A. I don't recall.	24 with Ms. Butcher why Mr. Trump would be
25 Q. When it says, "I believe you have	25 making a charity recommendation to ACN?

<p style="text-align: right;">Page 110</p> <p>Graff - Confidential</p> <p>A. Correct.</p> <p>Q. And is that consistent with your recollection that the earlier deal in January of 2006 was something Ms. Glosser worked on and that by this time, January of 2008, you were communicating with Ms. Butcher?</p> <p>A. Yes.</p> <p>What I'm not clear on is Cathy would send to her at The Trump Organization -- I'm just a little confused on the timing.</p> <p>But why this was sent to me and not to Cathy, if Cathy was still there.</p> <p>Q. Got it.</p> <p>And if you recall, we saw a draft agreement from just a few days after this, February of 2008, with the handwriting at the top that says, "Nothing to do with Cathy Glosser."</p> <p>Do you remember that?</p> <p>A. Right.</p> <p>I don't remember seeing that. I don't know who wrote it.</p>	<p style="text-align: right;">Page 111</p> <p>Graff - Confidential</p> <p>Q. You may not remember at the time, but you remember seeing it a little earlier this morning?</p> <p>A. Yes, yes, I do.</p> <p>Q. Putting those two together, you're just not remembering why it is that Ms. Glosser seems to be sort of less involved in these discussions at this time?</p> <p>A. I don't recall. Correct.</p> <p>Q. Okay.</p> <p>In the second paragraph of your email, you write to Ms. Glosser, "What they are offering seems very reasonable and more palatable for DT as he would not need to do any traveling."</p> <p>Do you see that?</p> <p>A. I do.</p> <p>Q. Again, is that consistent with some of the terms he expressed interest in about minimizing travel or excessive travel?</p> <p>A. Yes, I think that would be fair to say.</p> <p>Q. And then in your next sentence,</p>
<p style="text-align: right;">Page 112</p> <p>Graff - Confidential</p> <p>you write, "My main concern is the reputation of ACN as I have heard mixed reports about them."</p> <p>Do you see that?</p> <p>A. I do.</p> <p>Q. Do you recall having a concern about ACN?</p> <p>A. I don't recall what I was specifically referring to in this "mixed reports." I don't remember that.</p> <p>Q. Well, let's take this one step at a time.</p> <p>Just as a general matter, in January of 2008, as you're communicating with Ms. Butcher about potential new agreements and extensions of the agreement or changes to the agreement, do you remember having any concern about ACN?</p> <p>A. I don't remember that standing out.</p> <p>Q. What do you mean by "that standing out"?</p> <p>A. I don't remember thinking that this is something that we need to be</p>	<p style="text-align: right;">Page 113</p> <p>Graff - Confidential</p> <p>concerned about.</p> <p>Q. You did write here, though, that you have a concern about the reputation of ACN, right?</p> <p>A. Right, but I don't know what the basis of that was for. I don't recall.</p> <p>Q. So your best understanding sitting here today is that reading this email, it does appear you have a concern at the time but you can't remember now having such a concern?</p> <p>A. Correct. And I follow it up saying that I have had no reason to doubt based on my relationship with them.</p> <p>So --</p> <p>Q. Well, you write in the next sentence, "That being said, everyone I have worked with there has been extremely professional and easy to deal with," right?</p> <p>A. Correct.</p> <p>Q. You don't say that that mitigates any concern about the reputation of ACN, do you?</p> <p>A. Does it mitigate?</p>

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I think it basically says, I -- I don't really have any concerns that would cause a problem in the relationship.	reference, but I don't know what it was.
I don't really know how to address this. I don't recall it. So -- I don't know how to answer that.	Q. And you referred specifically here to a concern about the reputation of ACN, right?
Q. You do refer here to having a concern with ACN, right?	A. Um-hm.
A. That's what it says in this statement, yes.	Q. Do you know what you meant by that, "the reputation of ACN"?
Q. So you don't doubt in January of 2008 you did, in fact, have a concern with ACN?	A. I'm guessing. I don't like to guess, but it may have been a newspaper article that I read or maybe a stray email from somebody who said, I didn't have a good experience. Maybe it was based on that.
A. I'm trying to recall what happened. I might have read a news clipping somewhere or I may have gotten an email from a stray person saying it. Maybe I based it on that.	Q. And when you reference such an email, someone saying, I didn't have a good experience, do you mean didn't have a good experience trying to pursue the ACN business opportunity and make money with ACN?
I don't really know what the basis of my concern was.	A. You know, I can't -- I can't call out a specific thing, but I think I remember maybe there was a person who went to one of his speeches, I didn't enjoy it, I didn't get anything from it, or whatever.
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You always have -- any time you are dealing with the general -- the public, there are always going to be -- I mean, our hotel division, our golf division, there are always people complaining about everything. So, you know, how serious does one take it?	way? Do you remember when you may have read articles like that about ACN?
You know, I don't recall the specific instance.	A. No, I don't. This was a period of how long? I mean, I don't recall. I really don't recall.
Q. You also refer to news reports somewhere in your mind.	Q. And you said that your practice, if you read or heard such a thing, was to send it to Anne Archer and ask, What's going on?
Do you remember what the nature of the news reports was about ACN?	A. To the best of my recollection, that's what I would do.
A. I don't. You know, I don't recall anything specific.	Q. Do you remember any other steps that you took in response to those kinds of articles or concerns?
Q. Do you ever remember hearing or reading anything about concerns or accusations that ACN was a pyramid scheme?	A. I can't particularly -- I can't recall a specific instance.
A. I may have read one or two articles, and I think what I did with them is I would send them on to Anne Archer and say, What's this about? You know, it's news to me.	Q. Do you remember, aside from the term "pyramid scheme," any other concerns, whether from news reports or otherwise, about consumer fraud or ACN being a scam or anything along those lines?
Q. Can you place that in time in any	A. Well, I never heard the term "pyramid scheme." You used that. I'm not

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1	Graff - Confidential	1	Graff - Confidential
2	didn't deal with Success directly. Best of	2	There were multiple -- over the
3	my recollection, it was usually Anne Archer	3	course of the many agreements that we had
4	who generated a story about it. You know,	4	with ACN, there were several different
5	she would send it to us to review. We	5	attorneys that I worked with.
6	would look through it, make sure that we	6	Q. Specifically in reviewing Success
7	were comfortable with what the content was,	7	Magazine articles?
8	maybe edit a little bit, and then,	8	Do you have any specific
9	ultimately, she would be given the okay to	9	recollection of sharing a Success Magazine
10	proceed.	10	article with an attorney?
11	Q. Who at the organization typically	11	A. Not just the articles, with the
12	led that work, to review and potentially	12	contracts. Obviously, we had an in-house
13	edit those articles?	13	attorney look at the contracts before they
14	A. To the best of my recollection, I	14	were signed.
15	did, to a degree. Meredith did, to a	15	But I'm trying to remember the
16	degree. And we would often show it to one	16	names of the attorneys. If you threw out
17	of our attorneys to look through as well,	17	some names, I could tell you yes, but I'm
18	to the best of my recollection.	18	trying to remember because none of them
19	Q. Do you remember which specific	19	were there when I left. They had been long
20	attorney you showed any of those to?	20	gone.
21	MR. ROBERT: I'm going to	21	Q. I guess I'm trying to ask,
22	instruct the witness, you can give the	22	leaving aside the contracts for a moment
23	name of the attorney but not the	23	and focusing specifically on the Success
24	discussion with the attorney.	24	Magazine articles, do you have any specific
25	A. Correct.	25	recollection of sharing a draft of a
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1	Graff - Confidential	1	Graff - Confidential
2	Success Magazine article with a lawyer?	2	I can't recall off the top of my
3	A. I don't have a specific memory.	3	head. I'd know the names if I saw them,
4	I think that was my practice, to do that.	4	but I just can't recall.
5	Q. You would have done that by	5	Q. Okay.
6	email, right?	6	So we talked for just a moment
7	A. I would have forwarded -- my	7	here about Success Magazine. I want to go
8	practice would have been to forward their	8	back to The Success Foundation.
9	draft -- Anne Archer's draft of the	9	Do you recall that entity in any
10	proposed article and asked them to look	10	way separate and apart from the magazine
11	through it and see if there were any red	11	or --
12	flags there that we should be aware of.	12	A. I just -- I may have known at the
13	Q. Okay.	13	time, but now, I can't recall what the
14	So you don't have any specific	14	distinction was.
15	recollection of doing that but believe you	15	Obviously, it's an offshoot or
16	may have, and if you did, it would be in	16	something do with the magazine. I don't
17	the email records, right?	17	really know what the relationship is or
18	A. It should be. That was my	18	was.
19	practice. So, hopefully, it's there.	19	Q. If you could try to find
20	Q. You can't remember the names of	20	Exhibit 10.
21	any lawyers that were involved with that?	21	A. I have it right here on top.
22	A. Again, if you threw out some	22	Q. Perfect.
23	names. I mean, I just -- one of them	23	This is the one -- it's the
24	was -- name was Jonathan. I can't	24	January 2009 endorsement agreement --
25	remember -- there was a heavyset gentleman.	25	A. Correct.

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2 UNITED STATES DISTRICT COURT
3 FOR THE SOUTHERN DISTRICT OF NEW YORK

3 -----X
4 CATHERINE MCKOY, MILLARD WILLIAMS,
5 MARKUS FRAZIER, and LYNN CHADWICK
6 individually and on behalf of all
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Plaintiffs,

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7 THE TRUMP CORPORATION, DONALD J. TRUMP,
8 in his personal capacity, DONALD TRUMP
9 JR., ERIC TRUMP, and IVANKA TRUMP,

Defendants.

10 -----X

11 ** CONFIDENTIAL **

12
13 VIDEOTAPED DEPOSITION OF AMANDA MILLER

14 New York, New York

15 Monday, June 27, 2022

16
17
18
19
20
21
22
23 Reported by

24 JEFFREY BENZ, CRR, RMR

25 JOB NO. 212683

<p>1 Miller - Confidential</p> <p>2 date.)</p> <p>3 THE WITNESS: Thank you.</p> <p>4 MR. ROBERT: This is 14?</p> <p>5 MR. BARKAI: Yes, this is Exhibit 14.</p> <p>6 A. Okay.</p> <p>7 Q. All right. Ms. Kennedy, you've been handed a document that's been marked as Exhibit 14. It's Bates-stamped ACN 001078 through 1079. This is a document that's been produced by ACN to both parties, both plaintiffs and defendants.</p> <p>13 Looking at the first email here, the email from Maryann Klustner on March 26, 2014, do you know who that is?</p> <p>16 A. I don't.</p> <p>17 Q. You didn't know her before she sent this email to you?</p> <p>19 A. I did not.</p> <p>20 Q. Do you know why she sent this email to you in particular?</p> <p>22 A. It could have gone through the press inbox at the Trump Organization and been forwarded to me. I'm not sure.</p> <p>25 Q. Were emails from the press inbox</p>	<p>Page 158</p> <p>1 Miller - Confidential</p> <p>2 generally forwarded to you?</p> <p>3 A. Yes.</p> <p>4 Q. Were you the only person to whom they were forwarded?</p> <p>6 A. I don't know.</p> <p>7 Q. But consistently emails from the press inbox would go to you?</p> <p>9 A. Yes.</p> <p>10 Q. Do you recall this email?</p> <p>11 A. I don't.</p> <p>12 Q. Did you receive a lot of complaint emails like this in your position at the Trump Organization?</p> <p>15 A. I don't know.</p> <p>16 Q. Do you recall getting emails like this about ACN being a scam?</p> <p>18 A. I don't know.</p> <p>19 Q. Do you see that this email refers to ACN as a scam?</p> <p>21 A. I see that, yes.</p> <p>22 Q. Do you recall getting emails about ACN being a pyramid scheme?</p> <p>24 A. I do not recall.</p> <p>25 Q. You see that this email refers to ACN</p>
<p>Page 160</p> <p>1 Miller - Confidential</p> <p>2 as being a pyramid scheme?</p> <p>3 A. I see that, yes.</p> <p>4 Q. Does this strike you, looking at this email, like this was the first time that that had ever occurred or like it might have occurred at other times? Give me a sense of how often you think that might have been happening in 2014.</p> <p>10 A. I truly do not know.</p> <p>11 Q. What, in your words, is a pyramid scheme?</p> <p>13 A. I don't know, actually.</p> <p>14 Q. Would it have concerned you at the time, in 2014, to receive an email like this stating that ACN was a scam or a pyramid scheme?</p> <p>17 A. Because I didn't -- don't -- today -- at the time and today don't know much about ACN's business. It probably -- I wouldn't have really thought too much about it, honestly.</p> <p>21 Q. At the time -- sorry. Go ahead. Are you finished?</p> <p>23 A. No. I think often in business there could be individuals who are upset with the outcome of something, so, in business, I -- you</p>	<p>Page 161</p> <p>1 Miller - Confidential</p> <p>2 know, again, I don't know the details of this, and I wasn't familiar with ACN's business and so I don't know this individual, so I had no reason to believe either way anything about this.</p> <p>6 Q. At the time, though, in this time period, you had an understanding that there was some relationship between Donald Trump and ACN, right?</p> <p>10 A. That's correct.</p> <p>11 Q. So, would it not have concerned you to receive an email indicating that ACN was a scam or a pyramid scheme?</p> <p>14 A. Obviously, I -- I read email and forwarded it on to the person who I thought handled the ACN relationship. Again, because I did not know much about them as a business, it wouldn't have concerned me, because I don't -- I didn't really know anything about them, and it wouldn't be uncommon for people to file complaints or express complaints about something.</p> <p>23 So I -- again, because I don't know who Maryann was, I wasn't sure the validity of her claim, so I forwarded it along to the person</p>

<p style="text-align: right;">Page 162</p> <p>1 Miller - Confidential 2 who worked on the ACN stuff. 3 Q. And that was who? 4 A. Rhona Graff. 5 Q. Did you investigate whether it was 6 true that ACN was a scam or a pyramid scheme? 7 A. I did not. 8 Q. To your understanding, what would be 9 the standard response or policy from the Trump 10 Organization when you would receive an email 11 like this? 12 A. I would forward it along to the person 13 who worked on that particular business unit. 14 Q. What would be an example of doing that 15 in another context? 16 A. If someone sent a note, and I'll use 17 something positive. If somebody sent a note 18 saying that they have a wonderful experience at 19 Trump Doral and they really enjoyed their time 20 there, I would -- and it just was an unsolicited 21 email that was sent to me, I would forward that 22 along to the hotel general manager and say, FYI, 23 great job. 24 So it would depend what they were -- 25 what the topic was.</p>	<p style="text-align: right;">Page 163</p> <p>1 Miller - Confidential 2 Q. And in the case when it wasn't 3 something positive like that but instead was 4 something negative along these lines, do you 5 have an understanding of whether the Trump 6 Organization had any kind of policy to 7 investigate those kinds of complaints? 8 A. In my role, I would just raise it to 9 the person who was most involved in that 10 business unit. 11 Q. And in this particular case, do you 12 have an understanding of what the follow-up was 13 from the email that you sent on to Ms. Graff? 14 A. I don't know. 15 Q. Now, Ms. Kennedy, after the Trump 16 presidential campaign started in 2015, talk to 17 me a little bit about how work on the campaign 18 intersected with work at the Trump Organization 19 from your perspective. 20 A. Can you be more specific? 21 Q. Sure. So, you were working on the 22 campaign a little bit from the -- at least at 23 the exploratory committee stage, right? 24 A. Yes. 25 Q. And you're working at the Trump</p>
<p style="text-align: right;">Page 164</p> <p>1 Miller - Confidential 2 Organization as well, right? 3 A. That's correct. 4 Q. So, how did the presence of the 5 campaign at the time inform your work on 6 marketing and branding for the organization? 7 A. They were separate, from my view, 8 because my work in real estate was supporting 9 our properties across the world, so I still had 10 my duties as the day-to-day marketing person 11 working on brochures, collateral pieces for 12 those developments. 13 And then anything I did separately for 14 the campaign to provide support for them, really 15 was generally separate, from -- from how I 16 recall. 17 Q. And then aside from your own 18 day-to-day work, did the existence of the 19 campaign change your approach to marketing and 20 branding strategy? 21 A. I'm not sure when -- when exactly the 22 time period was, but when Mr. Trump turned over 23 the company to his children, I believe at that 24 period in time we had some changes to our 25 marketing approach. We were no longer using</p>	<p style="text-align: right;">Page 165</p> <p>1 Miller - Confidential 2 Mr. Trump's image to promote different real 3 estate properties. But I believe that was a -- 4 I'm not sure when exactly that took place. 5 Q. I believe you said when the Trump 6 Organization received emails through the press 7 email inbox, those emails would end up being 8 forwarded to you, right? 9 A. Yes. 10 Q. And then more generally, when the 11 Trump Organization received press inquiries, 12 were those inquiries also directed at you? 13 A. I'm sorry, can you repeat that? 14 Q. Sure. When the Trump Organization 15 received press inquiries, were those press 16 inquiries directed at you? 17 A. Directed at me personally? 18 Q. Correct. 19 A. Or were just forwarded to me? 20 Q. Well, either way. So first, were they 21 directed at you personally? So if a member of 22 the press wanted to speak -- wanted to 23 communicate with the organization, would they do 24 so through you? 25 A. Yes. If -- if a member of the press</p>

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2 UNITED STATES DISTRICT COURT
3 FOR THE SOUTHERN DISTRICT OF NEW YORK

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5 CATHERINE MCKOY, MILLARD WILLIAMS,
6 MARKUS FRAZIER, and LYNN CHADWICK
7 individually and on behalf of all
8 others similarly situated,

Index No.

1 :18-cv-09936-LGS

9 Plaintiffs,

10 v.
11

12 THE TRUMP CORPORATION, DONALD J. TRUMP,
13 in his personal capacity, DONALD TRUMP
14 JR., ERIC TRUMP, and IVANKA TRUMP,

15 Defendants.
16 -----X
17

18 *** CONFIDENTIAL ***
19

20 VIDEOTAPED DEPOSITION OF MEREDITH McIVER
21

22 New York, New York
23

24 Tuesday, July 12, 2022
25

26 Reported by
27

28 JEFFREY BENZ, CRR, RMR
29

30 JOB NO. 213091
31

<p style="text-align: right;">Page 114</p> <p>1 McIver - Confidential 2 working on a commercial -- I have a little bit 3 of background in advertising. 4 Someone else does the demographics, 5 the target market, the product placement, the 6 origin of ingredients. I mean, they can -- you 7 could spend three months before you could write 8 a paragraph if you're really getting into the 9 research. And, that's done by a different 10 department.</p> <p>11 By the time it gets to me, it's kind 12 of a done deal. I never looked into is this 13 a -- a valid -- is this product valid. Does 14 Coca-Cola hurt people or, you know, do we have 15 an offense issue here, that's really -- that's 16 something else.</p> <p>17 So, I kind of viewed it that way, but 18 it was a done deal by the time it got to me. It 19 wasn't for me to go almost insubordinate in a 20 way to go and fact check or double-check. And 21 so that's kind of my position.</p> <p>22 Q. But to go back to something you were 23 saying earlier about, you know, you recognize a 24 line about comfort zone, for example.</p> <p>25 A. Yeah.</p>	<p style="text-align: right;">Page 115</p> <p>1 McIver - Confidential 2 Q. Were there certain standard phrases or 3 passages that you thought were appropriate to 4 include in public-facing communications? 5 A. Think big just keeps coming back 6 because that was just so attached to him. And 7 he used it a lot over the years, even in a later 8 book that he did with someone. And that was 9 sort of his logo in a way. Trump, think big. 10 That's the one that keeps coming back. 11 Is that what you're asking? 12 Q. Yeah. I think I'm asking -- what 13 would you do to ensure that a piece of writing 14 that you were asked to review was not only in 15 his voice, in terms of tempo or timbre but also 16 included the sort of substantive message that he 17 wanted to deliver? 18 A. My involvement on that level, I felt 19 that it wasn't really my position, my role. I 20 didn't -- if something was way off, I guess I'd 21 note it, but I don't remember. 22 I kind of took it for granted by the 23 time it reached me, that it had been vetted. 24 Whereas I think a lawyer looking at it 25 or someone might be more concerned with -- I</p>
<p style="text-align: right;">Page 116</p> <p>1 McIver - Confidential 2 didn't want it to be, you know, hurtful to 3 people or something, but like I said, I -- it 4 wasn't my job to vet or to do the research on 5 certain things. 6 My work was primarily with book -- 7 book-related things or business things with 8 Robert Kiyosaki, that kind of thing. And Robert 9 already had -- you know, he was quite 10 established, so it wasn't like I was going to go 11 and -- and vet Robert Kiyosaki. 12 He was, like, brought in and I was 13 told we were going to do a book with him, that 14 kind of thing. I don't know, does that answer 15 it too? 16 Q. Yeah. Let me -- let me try to -- it 17 does help to answer it, but let me try to ask 18 this a different way. 19 So, you said earlier, roughly, that 20 there were certain standard sound bites or 21 phrases -- 22 A. Sound bites. 23 Q. -- that Mr. Trump used? 24 MR. ROBERT: Objection to form. 25 But you can answer.</p>	<p style="text-align: right;">Page 117</p> <p>1 McIver - Confidential 2 Q. Would you agree with that? 3 MR. ROBERT: You can answer the 4 question. 5 A. Yes, there -- there were certain 6 things that were, you know, connected to him, or 7 people would say, Oh, that sounds like Donald 8 Trump, that kind of thing. 9 Q. And again looking at Exhibit 7, you 10 said that the attachments to Exhibit 6 were 11 close enough in message, in addition to tone. 12 A. Uh-huh. 13 Q. So, when you were reviewing this, and 14 by "this," I mean the attachment to Exhibit 6, 15 you thought that the substance here was 16 generally consistent with Mr. Trump's standard 17 message. Is that right? 18 MR. ROBERT: Objection to form. 19 You can answer. 20 A. Seemed -- yeah. 21 For example, even here, he says, Come 22 to New York, we still have them here. So, you 23 know, that kind of thing. That kind of slapdash 24 attitude. That's -- maybe not slapdash, but he 25 would say things like that.</p>

<p style="text-align: right;">Page 130</p> <p>1 McIver - Confidential</p> <p>2 Do you know what Success From Home</p> <p>3 Magazine is?</p> <p>4 A. No.</p> <p>5 Is it attached to Success Magazine?</p> <p>6 Q. I --</p> <p>7 A. Oh, I don't know. I'm sorry, I don't</p> <p>8 know. I don't know.</p> <p>9 MR. ROBERT: He's the one asking the</p> <p>10 questions.</p> <p>11 A. No, I don't recall this magazine.</p> <p>12 Q. Okay. What -- what -- do you</p> <p>13 recall -- do you know what the relationship</p> <p>14 between ACN and Success From Home Magazine is?</p> <p>15 A. No.</p> <p>16 If there is one, I don't know.</p> <p>17 Q. Okay. And -- and as we just read,</p> <p>18 Ms. Marcello wrote to Ms. Graff, Can you please</p> <p>19 have it approved.</p> <p>20 So it appears that The Trump</p> <p>21 Organization would approve these articles for</p> <p>22 Success Magazine. Is that right?</p> <p>23 A. It would seem that way, yeah.</p> <p>24 Q. And who The Trump Organization had</p> <p>25 authority to approve them?</p>	<p style="text-align: right;">Page 131</p> <p>1 McIver - Confidential</p> <p>2 A. I would say whoever -- well, I guess</p> <p>3 Rhona and me, possibly. I don't remember, say,</p> <p>4 reading this.</p> <p>5 And I don't know how ACN came in, if</p> <p>6 it came through licensing department or ACN -- I</p> <p>7 mean -- Cathy Glosser and licensing. I don't</p> <p>8 recall how it arrived.</p> <p>9 So a lot of times, things, if they</p> <p>10 came from another department, say the golf</p> <p>11 department or something came in, they would have</p> <p>12 first eyes on it. So I don't know who would</p> <p>13 read this first in our group, whether it would</p> <p>14 be licensing, Rhona, me, all of us.</p> <p>15 Q. But then eventually it would come to</p> <p>16 you?</p> <p>17 A. I would say most of the time it would</p> <p>18 come to me.</p> <p>19 Q. And just going back to Exhibit 10, if</p> <p>20 you look at the top email in the chain, this</p> <p>21 appears to be an email from Ms. Graff to you</p> <p>22 dated May 15, 2013.</p> <p>23 Do you recognize this email?</p> <p>24 A. I don't -- I just don't remember it.</p> <p>25 It was a long time ago.</p>
<p style="text-align: right;">Page 132</p> <p>1 McIver - Confidential</p> <p>2 Q. But there's no reason to think you</p> <p>3 didn't actually receive this email, right?</p> <p>4 A. No, I can't imagine -- I may have</p> <p>5 like, you know, glossed over it, depending on</p> <p>6 what I was doing.</p> <p>7 But -- yeah.</p> <p>8 Q. And Ms. Graff wrote, Mer, can read and</p> <p>9 edit if necessary. Let me know what you think</p> <p>10 of this.</p> <p>11 Did you review this article?</p> <p>12 A. I may have. I really can't recall if</p> <p>13 I did or not.</p> <p>14 Q. Generally, if Ms. Graff sent something</p> <p>15 to you and asked you to review it, would it be</p> <p>16 your normal practice to review it?</p> <p>17 A. Oh, yes, yeah.</p> <p>18 Q. What was the process for reviewing</p> <p>19 these types of pieces for accuracy?</p> <p>20 A. Oh.</p> <p>21 I have to say when it came to</p> <p>22 accuracy, or vetting, it wouldn't be me.</p> <p>23 Because I really did look at it more from a not</p> <p>24 necessarily cosmetic standpoint, but that it</p> <p>25 kind of sounded like him, that the tone was</p>	<p style="text-align: right;">Page 133</p> <p>1 McIver - Confidential</p> <p>2 right, but I didn't delve into what was being</p> <p>3 said necessarily.</p> <p>4 I -- I'm not going to check, I'm not</p> <p>5 going to fact check, because I didn't have the</p> <p>6 time. I didn't feel it was my -- my position.</p> <p>7 Q. Do you have an understanding of whose</p> <p>8 job it was to fact check things?</p> <p>9 A. No. I don't know. Legal, it seems to</p> <p>10 me, would have -- would review.</p> <p>11 Q. Do you know if legal reviewed this</p> <p>12 piece, for example?</p> <p>13 A. No. And I think most of the time it's</p> <p>14 like the deals were -- some things that are a</p> <p>15 little more heavy duty, heavyweight, would</p> <p>16 require that more.</p> <p>17 I just -- actually I never thought</p> <p>18 about it. I would just, like -- if it lands on</p> <p>19 my desk, I figure, you know, it's okay, it's</p> <p>20 good to go. Just look at it and make sure there</p> <p>21 aren't glaring mistakes or typos or the wrong</p> <p>22 words, that kind of thing.</p> <p>23 Like I said, it was a little cosmetic</p> <p>24 in that sense, from my standpoint, from what I</p> <p>25 was doing.</p>

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5 CATHERINE MCKOY, MILLARD WILLIAMS,

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7 individually and on behalf of all

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9 1:18-cv-09936

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13 in his personal capacity, DONALD TRUMP

14 JR., ERIC TRUMP, and IVANKA TRUMP,

15 Defendants.

16 -----X

17

18 ** CONFIDENTIAL **

19 DEPOSITION OF CATHY HOFFMAN GLOSSER

20 September 14, 2022

21

22

23 Reported by:

24 MARY F. BOWMAN, RPR, CRR

25 JOB NO. 216654

<p style="text-align: right;">Page 54</p> <p>1 Glosser - Confidential 2 You can answer. 3 A. I mean, I don't know what you've 4 seen. 5 Q. I mean the ones we have looked at 6 together, where there were the USA Today 7 thing -- 8 A. Yes, I don't recall seeing 9 anything else. 10 Q. All right. Let's look at one 11 more email from this period. 12 (Exhibit 5, document, Bates 13 stamped TTO_007351, marked for 14 identification, as of this date.) 15 Q. Okay. Ms. Glosser, Exhibit 5 is 16 another email produced to us in hard copy 17 from The Trump Organization's files. This 18 one bears the Bates TTO_007351. 19 This is kind of late January, 20 2006, an email exchange between you and 21 Anne Archer Butcher. 22 Do you see that? 23 A. Yes. 24 Q. Is this -- as best you can recall 25 or infer from the document, is this during</p>	<p style="text-align: right;">Page 55</p> <p>1 Glosser - Confidential 2 that interim period where you were sort of 3 covering for Ms. Foerderer? 4 A. Yes. 5 Q. And you can see in the top email 6 on the page that's the last email in the 7 chain, you write to Ms. Butcher, "I met 8 with Donald today and we are prepared to 9 move forward." Right? 10 A. Yes. 11 Q. Do you recall the discussion or 12 the meeting with Mr. Trump that is 13 referenced there? 14 A. I do not. 15 Q. Okay. 16 In the second paragraph, you 17 write, "I believe we discussed your sending 18 me some information on ACN for our files. 19 I know you said that they are a 20 telecommunications company, but I would 21 really like some background information on 22 them. I think you had said that Norma was 23 sent some info. Would you please be kind 24 enough to forward information to my 25 attention. I appreciate it."</p>
<p style="text-align: right;">Page 56</p> <p>1 Glosser - Confidential 2 Do you see that? 3 A. Yes. 4 Q. I guess a couple of questions. 5 So first, when you say, "I think 6 you had said that Norma was sent some 7 info," do you know whether you were 8 referring to the information that we have 9 seen in Ms. Foerderer's files, these USA 10 Today clippings and other blurbs and 11 information? 12 A. I have no idea what it's 13 referring to. 14 Q. Were you aware of any information 15 beyond that, as best you can recall? 16 A. No. 17 Q. It sounds like you're essentially 18 asking Ms. Butcher to resend to you 19 whatever she had previously sent to 20 Ms. Foerderer, is that how you read that? 21 A. Correct. 22 Q. Do you know whether she actually 23 did send you any information about this? 24 A. I have no idea. 25 Q. Is it fair to say then you don't</p>	<p style="text-align: right;">Page 57</p> <p>1 Glosser - Confidential 2 recall ever receiving information beyond 3 what we have seen in the emails we have 4 looked at so far? 5 MR. ROBERT: Objection to form. 6 You can answer. 7 A. Yeah, I don't recall. 8 Q. Did you ever see -- we talked a 9 bit in the licensing context how you might 10 diligence a potential partner. 11 With respect to ACN, did you ever 12 see product manufacturing information, 13 company financials, those sorts of 14 documents or information? 15 A. I don't recall. 16 Q. Okay. 17 (Exhibit 6, document, Bates 18 stamped TTO_000616, marked for 19 identification, as of this date.) 20 Q. Okay. Exhibit 6 is a document 21 produced to us by The Trump Organization 22 with the Bates TTO_000616. 23 This is a memo from you to Allen 24 Weisselberg and some others, including a 25 copy of a signed endorsement agreement with</p>